

I think you could conservatively estimate that there might be 10,000 stores and other outlets in the state. There is going to have to be some way to determine, in each one of those cases, whether the right percentage of these items are being dispensed to justify the tax being collected at that establishment. If an on-the-spot examination were not made of my particular establishment I would challenge the requirement that the tax be collected there. In that case some kind of hearing procedure would have to be established to do away with, or dispose of my challenge. I think to levy a tax in this fashion, and that is what it amounts to, without allowing the opportunity to challenge it would be unconstitutional and illegal. So the tax itself cannot be collected. If you're going to do away with the tax then the bill does not exist as a bill. I think what has been done here is to put Senator Schmit and others who don't want the bottle bill but say they want some kind of anti-litter bill into a box that has neither entry nor exit. It is hermetically sealed. I don't see too much point in any further discussion of the bill. I'm not saying that because I'm going to call for the question and try to cut off the discussion, but I think you're walking down a blind alley. Nothing worthwhile is going to be produced through this bill or the discussions surrounding it.

PRESIDENT: Senator Maresh.

SENATOR MARESH: Mr. President, members of the Legislature. A question of Senator Schmit. Senator Schmit, I'm trying to determine what "abandoned automobiles" means. Does it mean these car bodies that people use in washouts along, you see these along the highways? Would this allow the state to enter private property and remove these car bodies that are unsightly?

SENATOR SCHMIT: Senator, I think an abandoned automobile is pretty well determined by its character and not necessarily by where it is at. I don't think they're going to...they will not enter private property.

SENATOR MARESH: Thank you.

PRESIDENT: Would you close debate on this, Senator Schmit.

SENATOR SCHMIT: Yes, Mr. President, I'll be glad to close debate. I agree much with Senator Chambers and some of the points that he has said. It isn't an easy bill to stand here and debate because it is a little bit complicated. But you know it is unfortunate. Senator Cope said I hope you read the editorial. I think it boils down to this, you know when I was thinking about introducing the bill I was advised that if I wanted that bill to go through like grease lightening to leave the newspapers out of it. If we had left the newspapers out of the bill, and this includes some of my good friends with whom I mostly agree, but the facts are this--they would have said this is the greatest thing that has come along since nickel beer. It addresses the entire problem. But as soon as you get into the newspaper business a little bit, and if you see the amount of litter that is developed by the newspapers I think they are entitled to be included. But the whole thing boils down to this--you get an editorial or two and everybody runs to the restroom, everybody crawls under the rug.